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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,282	07/22/2002	Guy Krippner	150070.402USPC	8714
500	7590	04/08/2005	EXAMINER	
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC 701 FIFTH AVE SUITE 6300 SEATTLE, WA 98104-7092			BALASUBRAMANIAN, VENKATARAMAN	
			ART UNIT	PAPER NUMBER
			1624	

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

✓

Office Action Summary	Application No. 10/088,282	Applicant(s) KRIPPNER ET AL.	
	Examiner Venkataraman Balasubramanian	Art Unit 1624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

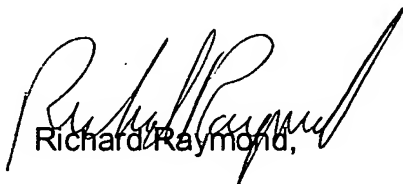
- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/17& 11/21/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-33 are pending.

PREVIOUS OFFICE ACTION

Due to a docketing error, two different examiners issued two office actions. To correct this error, the previous office action dated 10/14/2004 is now vacated.



Richard Raymond,

Acting Supervisory Patent Examiner (SPE)

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Election/Restrictions

In view of the applicants' amendment filed on 12/17/2004 to claim 1 to incorporate formula I of claim 14, the restriction requirement made in the previous office action is rendered moot. Claims 1-33 are now under examination.

As for applicants' comments regarding examiner's suggestion to incorporate the formula I in claim 1, applicants should note that the response filed on 10/18/2004 had an error. Applicants had elected Group I, claims 14-18 along with a species 50. First of all, claims 14-18 belong to Group II not Group I and this resulted in confusion as to what should be examined. In addition, examiner did not request an election of species. as this application is a 371 of PCT application and election of species is normally deemed as improper. If Group I were elected, examiner had asked for election of specific genus with heterocyclic or carbocyclic core for proper examination. Originally presented Group I

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had no structural core for examination. Hence it would not be possible search CAS ONLINE without a structural query. A key word search is normally not useful as it would result in too broad search and attempts to narrow the search will result in missing some prior art. In fact, EAST key word search itself resulted in a large number of prior art.

Since scope of the invention appears to clearly embraced in formula I, examiner therefore requested incorporation of formula I in claim 1. However, if applicants were to assert that the full scope of their invention is not covered in these amended claims, they may reinstate the originally presented claims with suitable core structure for examination as per the restriction made earlier.

For the present, examiner will search and examine the amended claims 1-33 based on the formula I.

Information Disclosure Statement

References cited in the Information Disclosure Statements filed on 10/17/2002, and 11/15/2002, are made of record.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Recitation of "derived from compound of formula I " renders claim 1 indefinite, as it is not clear whether claim 1 embraces

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compound of formula I or some other compound of undefined structure. Note compound of formula I meets the requirements of two or more capsid binding cores separated by a X-W-Y spacer. It is therefore not clear what other structural elements are included in the "derived" compound. Claims 2-22, 24-26, 30 and 32-33 are also rejected herein as they are dependent on claim 1 and share the same indefiniteness as to what is the structural make-up of derived compound. In addition, compound claim 1 and its dependent claims 2-22, 24-26, 30 and 32-33 recite various functional language, which are not given any weight, as a compound is a compound irrespective of its function. A compound is a compound irrespective of its intended use or desirable property. Claims 2-22, 24-26, 30 and 32-33 are compounds claims with some attributes to the compound. These attributes do not change the structure of the compound and make it different from compound of claim 1.

See *Intertool, LTD. V. Texar Corp.*, 70 USPQ2D 1780. Note court held that " In general, a claim preamble is limiting if recites essential structure or steps or if it is necessary to give" life, meaning, and vitality to claim.'.... However, if the body of the claim describes a structurally complete invention such that deletion of the preamble phrase does not effect the structure or steps of the claimed invention,' the preamble is generally not limiting unless there is clear reliance on the preamble during prosecution to distinguish the claimed invention from the prior art."

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Instant claims are compound claims and are clearly defined by a structure of formula I. Omission of the attributes to the compound of these claims does not alter the structure of these compounds. Hence claims 2-22, 24-26, 30 and 32-33 are duplicate claims.

The fourth choice of X and Y is unclear. It is not clear what is in the parenthesis and how the valence of carbon in C(I)O.

2. Claims 4 and its dependent claims 5-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. First of all, claims 4-12, 19-22 and 24-25 are improper dependent claims as they fail to further limit claim 1 on which they are dependent as they recite non-polymeric backbone or core or linker groups which are not recited in claim 1. Secondly, it is not clear how to relate the X-W-Y core to these non-polymeric backbone or core or linker groups. Hence it is not possible to define the full scope of these claims for examination.
3. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 13 refers to a "symmetrical dimer" and it is not clear what dimer is being recited. Is it the dimer of formula I or the formula itself to be symmetrical?
4. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

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applicant regards as the invention. Recitation of "derived from compound of formula I " renders claim 1 indefinite as it is not clear whether claim 1 embraces compound of formula I or some other compound of undefined structure. Note compound of formula I meets the requirements of two or more capsid binding cores separated by a X-W-Y spacer. It is therefore not clear what other structural elements are included in the "derived" compound. Claims 15-18 are also rejected herein as they are dependent on claim 1 and share the same indefiniteness as to what is the structural make-up of derived compound.

5. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Recitation of "derived from Pirodavis, Pleconaril, Win 54954, Win 61605 and its biphenyl analogue " renders claim 18 indefinite as it is not clear what structural elements are included in the "derived" compound. In addition it is not clear what is meant by "its biphenyl analogue"
6. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Recitation of "derivatives thereof" in claim renders claim 21 indefinite as it is not clear what structural elements are included in the "derived" compound. A derivative can be any organic compound appended to said acid group. It is not clear what is to be included or excluded from the derivative of the acid group.

7. Claim 29 provides for the use of a compound, but, since the claim does not set forth any steps involved in the method/process, it is unclear what method/process applicant is intending to encompass. A claim is indefinite where it merely recites a use without any active, positive steps delimiting how this use is actually practiced.
8. Claim 30 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Recitation of "derivatives thereof" in claim renders claim 30 indefinite, as it is not clear what structural elements are included in the "derived" compound. A derivative can be any organic compound appended to compound of formula I. It is not clear what is to be included or excluded from the derivative of the compound of formula I. In addition, claim 30 is an improper dependent claim as claim 1 does not recite any such derivative.
9. In claim 32 the "lable" appears to be typographical error. A correction is needed.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 29 is rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under

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35 U.S.C. 101. See for example *Ex parte Dunki*, 153 USPQ 678 (Bd.App. 1967) and *Clinical Products, Ltd. v. Brenner*, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1966).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-33 are rejected 35 U.S.C 102(b) as being anticipated by Joseph-McCarthy et al., WO 99/29280 (equivalent US 6, 416, 762) or Tsang et al. WO 99/29908.

Joseph-McCarthy et al., teaches several anti-picornaviral compounds for treating picornaviruses infections, which include compounds generically claimed in the instant claims. See entire document especially pages 3-4 and figures 1-4 for formula of

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compounds made. Joseph- McCarthy et al. teaches in these pages compounds that bind to piconavirus capsid comprising two or more caspid binding aromatic cores as seen pages 3-8. Note the compounds disclosed include two optionally substituted aromatic cores connected through X and Y to a divalent spacer groups as required in the instant claims. See pages 8-9 for process of making these compounds and pages 10-12 for examples 1-4 for library of the compounds made. See also figures 1-4 for the same.

Tsang et al. also teaches the same compounds and method of use and method of identifying anti-picornaviral compounds. See entire documents including figures 1A, 3A and 4A for compounds and assay protocol.

Claims 1-33 are rejected 35 U.S.C 102(b) as being anticipated by Hogle et al., US 5,637,708.

Hogle et al., teaches several antiviral agents with caspid binding which include compounds generically claimed in the instant claims. See entire document especially formula shown in column 2, lines 29, 42 and 47 as well as Figures 1-24 for various compounds and the process of making them. Note when instant X and Y are absent that is m and n are 0, then compounds taught by Hogle et al. include instant compounds.

Claims 1-16 and 18-31 are rejected 35 U.S.C 102(b) as being anticipated by Sato et al., US 4,818,761.

Sato et al., teaches several antiviral agents with caspid binding which include compounds generically claimed in the instant claims. See entire document especially

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formula shown in column 1, line 40 and formula I in column 2 and note the definition of X. Note when instant X or Y is NH and the other absent and W is CH₂, compounds taught by Sato include instant compounds. See column 3-10 for Table I and II and examples 1-8 for various compounds made.

Claims 1-16 and 18-31 are rejected 35 U.S.C 102(b) as being anticipated by Daneshtalab et al., US 5,026,848.

Daneshtalab et al., teaches several antiviral agents with caspid binding which include compounds generically claimed in the instant claims. See entire document especially formula 1 in column 1, line 26 and note the definition of R and R¹. Note when instant X or Y is O and the other absent and W is (CH₂)_n, compounds taught by Daneshtalab include instant compounds. See column 4-15 for examples 1-47 for various compounds made.

Claims 1-33 are rejected 35 U.S.C 102(e) as being anticipated by Tian et al. US 6,355,807.

Tian et al., teaches picornaviruses inhibitors, which include compounds generically claimed in the instant claims. See entire document especially formula I in column 3 and formula II in column 12 and note the definition of Z, Z₁, R₁, R₂, R₃ and R₄. Note with the definitions of these groups, the compounds taught by Tian meet the structural requirement of the instant formula I. More specifically, when R₉ is a heterocyclic group (hetroaryl), R₇ and/ or R₈ aryl or hetroaryl, and/or Z, Z₁, R₁ is a aryl or hetroaryl or form a hetero ring as permitted by Tian et al. and with the side chain bonding these meeting the X-W-Y requirement, the compounds taught by Tian et al.

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includes instant compounds. See column 20 through column 26 including Schemes 1-3, for process of making.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joseph-McCarthy et al., WO 99/29280 (equivalent US 6, 416, 762) or Tsang et al. WO 99/29908.

Teachings of Joseph-McCarthy et al., as discussed in the above 102 rejection is incorporated herein. As noted above, Joseph-McCarthy et al., teaches several anti-picornaviral compounds for treating picornaviruses infections, which include compounds generically claimed in the instant claims.

Although Joseph-McCarthy permits several five, six and fused five and six-membered heterocyclic rings for the aromatic group and various divalent groups for the spacer groups. See page 6 last paragraph through page 8, Joseph-McCarthy et al., teaches only few examples of the genus embraced in formula of library 1, library 2 and library 3.

However, Joseph-McCarthy et al. teaches equivalency of exemplified compounds with those generically claimed for Library 1, Library 2 and Library of compounds.

Thus it would have been obvious to one having ordinary skill in the art at the time of the invention was made to make compounds with various aromatic groups linked through various spacers as permitted by the reference and expect resulting compounds (instant compounds) to possess the uses taught by the art in view of the equivalency teaching outline above.

The same applies to Tsang et al., which discloses same compounds as in Joseph-McCarthy.

Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hogle et al., US 5,637,708.

Teachings of Hogle et al., as discussed in the above 102 rejection is incorporated herein. As noted above, Hogle et al., teaches several antiviral agents with caspid binding which include compounds generically claimed in the instant claims.

Although Hogle et al., permits several five, six and fused five and six-membered heterocyclic rings for the group U and W and various divalent groups for the spacer group V as seen in column 4, Hogle et al., teaches only few examples of the genus embraced in formula shown in column 2, lines 29, 42 and 47 as seen in Figures 1-24.

However, Hogle et al. teaches equivalency of exemplified compounds with those generically claimed for formula shown in column 2, lines 29, 42 and 47.

Thus it would have been obvious to one having ordinary skill in the art at the time of the invention was made to make compounds with various aromatic groups linked through various spacers as permitted by the reference and expect resulting compounds (instant compounds) to possess the uses taught by the art in view of the equivalency teaching outline above.

Claims 1-16 and 18-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Sato et al., US 4,818,761.

Teachings of Sato et al., as discussed in the above 102 rejection is incorporated herein. As noted above, Sato et al., teaches several antiviral agents with caspid binding which include compounds generically claimed in the instant claims. See entire document especially formula shown in column 1, line 40 and formula I in column 2.

Sato et al., teaches only few examples of the genus embraced in formula shown in column 1, line 40 and column 2, formula I.

However, Sato et al. teaches equivalency of exemplified compounds with those generically claimed for formula I shown in column 2 or formula in line 40 of column 1.

Thus it would have been obvious to one having ordinary skill in the art at the time of the invention was made to make compounds with variously substituted in benzimidazole ring as permitted by the reference and expect resulting compounds (instant compounds) to possess the uses taught by the art in view of the equivalency teaching outline above.

Claims 1-16 and 18-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daneshtalab et al., US 5,026,848.

Note when instant X or Y is O and the other absent and W is $(CH_2)_n$, compounds taught by Daneshtalab include instant compounds. See column 4-15 for examples 1-47 for various compounds made.

Teachings of Daneshtalab et al., as discussed in the above 102 rejection is incorporated herein. As noted above, Daneshtalab et al., teaches several antiviral agents with caspid binding which include compounds generically claimed in the instant claims. See entire document especially formula 1 in column 1, line 26 and note the definition of R and R¹.

Although Daneshtalab et al., permits several five, six and fused five and six-membered heterocyclic rings for the group R and R¹, Daneshtalab et al., teaches only few examples of the genus embraced in formula I shown in column 1, line 26.

However, Daneshtalab et al. teaches equivalency of exemplified compounds with those generically claimed for formula I shown in column 1, line 26.

Thus it would have been obvious to one having ordinary skill in the art at the time of the invention was made to make compounds with various aromatic groups linked through various spacers as permitted by the reference and expect resulting compounds (instant compounds) to possess the uses taught by the art in view of the equivalency teaching outline above.

Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tian et al. US 6,355,807.

Teachings of Tian et al., as discussed in the above 102 rejection is incorporated herein. As noted above, Tian et al., teaches picornaviruses inhibitors, which include compounds generically claimed in the instant claims. See entire document especially formula I in column 3 and formula II in column 12 and note the definition of Z, Z₁, R₁, R₂, R₃ and R₄.

Although Tian et al., permits several aryl and heteroaryl groups for R₉, R₇, R₈ and Z, Z₁, R₁, Tian et al., teaches only few examples of the genus embraced in formula I and formula II.

However, Tian et al. teaches equivalency of exemplified compounds with those generically claimed for formula I and formula II.

Thus it would have been obvious to one having ordinary skill in the art at the time of the invention was made to make compounds with various aromatic/heteroaromatic groups linked through various spacers as permitted by the reference and expect

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resulting compounds (instant compounds) to possess the uses taught by the art in view of the equivalency teaching outline above.

Double Patenting

A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

Claims 2-5, 9,12, and 19-22 are objected to under 37 CFR 1.75 as being a substantial duplicate of claim 1. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k). A compound is a compound irrespective of its intended use or desirable property. Claims 2-5, 9,12, and 19-22 are compound claims with some attributes to the compound. These attributes do not change the structure of the compound and make it different from compound of claim 1.

See *Intertool, LTD. V. Texar Corp.*, 70 USPQ2D 1780. Note court held that " In general, a claim preamble is limiting if recites essential structure or steps or if it is necessary to give" life, meaning, and vitality to claim.'.... However, if the body of the claim describes a structurally complete invention such that deletion of the preamble

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phrase does not effect the structure or steps of the claimed invention,' the preamble is generally not limiting unless there is clear reliance on the preamble during prosecution to distinguish the claimed invention from the prior art.'"

Instant claims are compound claims and are clearly defined by a structure of formula I. Omission of the attributes to the compound of these claims would not alter the structure of these compounds. Hence claims 2-5, 9, 12 and 19-22 are duplicate claims.

Conclusion

Any inquiry concerning this communication from the examiner should be addressed to Venkataraman Balasubramanian (Bala) whose telephone number is (571) 272-0662. The examiner can normally be reached on Monday through Thursday from 8.00 AM to 6.00 PM. The Supervisory Patent Examiner (SPE) of the art unit 1624 is Mukund Shah whose telephone number is (571) 272-0674. If Applicants are unable to reach Mukund Shah within 24-hour period, they may contact James O. Wilson, Acting-SPE of art unit 1624 at 571-272-0661.

The fax phone number for the organization where this application or proceeding is assigned (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAG. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-2 17-9197 (toll-free).

Venkataraman Balasubramanian
Venkataraman Balasubramanian

4/1/2005